

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 6, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-33491 - APPLICANT: LAPTOP XCHANGE - OWNER:
CENTENNIAL GATEWAY LLC

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Town Center Development Standards manual section B.4.B for a Secondhand Dealer use.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Special Use Permit for a proposed 2,086 square-foot Secondhand Dealer use within an existing shopping center on 16.79 acres at 5765 Centennial Center Boulevard, Suite #160. The applicant is proposing to buy, sell and trade personal computers, laptop computer and other computer devices. In addition, the applicant intends to repair and refurbish said merchandise. The proposed use is compatible with the surrounding area and meets the minimum Special Use Permit requirements for a Secondhand Dealer use, set forth by the Town Center Development standards manual. Therefore, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on the subject site as part of a larger request. The Planning Commission and staff recommended approval.
08/06/03	The City Council approved a Site Development Plan Review (SDR-2208) for a proposed 397,244 square-foot commercial development and Waivers of the Town Center Development Standards on the subject site. The City Council also approved Special Use Permits for four Supper Clubs (SUP-2214, SUP-2215, SUP-2216, and SUP-2217), two Restaurants with Drive-Through (SUP-2211, SUP-2212) and Outdoor Sales (SUP-2209) on the subject site. The Planning Commission and staff recommended approval.
09/07/05	The City Council approved a Minor Amendment to an approved Site Development Plan Review (SDR-8695) and Extensions of Time for four Supper Clubs (EOT-8271, EOT-8272, EOT-8273, EOT-8275), two Restaurants with Drive-Through (EOT-8269, EOT-8270), and Outdoor Sales (EOT-8267) on the subject site. Staff recommended approval.
04/09/09	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #6/jb).
<i>Related Building Permits/Business Licenses</i>	
02/26/08	Building permits (#109332, 109333) were issued for rough grading and a temporary field office (trailer) at 5603 Centennial Center Boulevard. The building permit is currently active awaiting final inspections.
03/07/08	Building permits (#103732) were issued for onsite improvements and trash enclosures at 5603 Centennial Center Boulevard. The building permit is currently active awaiting final inspections.
03/07/08	Building permits (#103733) were issued for a trash enclosures at 5603 Centennial Center Boulevard. The building permit was finalized on 03/03/09.
03/07/08	A building permit (#103730) was issued for Centennial Gateway Building A at 5699 Centennial Center Boulevard. Certificate of Completion was given on 10/21/08.

03/17/08	Building permits (#110791,) were issued for a fire lead in at 5603 Centennial Center Boulevard (subject site). The building permit was finalized on 01/26/09
03/18/08	Building permits (#110944) was issued for under ground water and sewer in at 5603 Centennial Center Boulevard. The building permit is currently active awaiting final inspections.
03/21/08	A building permit (#104406) was issued for Centennial Gateway Building E at 5639 Centennial Center Boulevard. The building permit was finalized on 03/03/09.
03/25/08	A building permit (#104736) was issued for Centennial Gateway Building A at 5651 Centennial Center Boulevard. The building permit was finalized on 03/19/09.
03/25/08	A building permit (#107476) was issued for Centennial Gateway Building B at 5705 Centennial Center Boulevard. The building permit was finalized on 10/21/08.
03/27/08	A building permit (#107108) was issued for Centennial Gateway Building D at 5643 Centennial Center Boulevard. The building permit was finalized on 10/21/08.
04/21/08	Building permits (#107470, 107475) were issued for Centennial Gateway Building E and C and at 5635 Centennial Center Boulevard and 5655 Centennial Center Boulevard. Certificate of Completion was given on 10/21/08.
05/01/08	A building permit (#108852) was issued for Sportsman Warehouse Major B at 5647 Centennial Center Boulevard. The building permit was finalized on 02/11/09.
<i>Pre-Application Meeting</i>	
02/09/09	A pre-application meeting was held where submittal requirements for a Special Use Permit were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	
<i>Field Check</i>	
03/05/09	During a routine field check staff observed a well maintained retail center.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	16.79 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	TC (Town Center)	TC (Town Center) Zone [SC-TC (Service Commercial – Town Center) Special Land Use Designation]

North	Shopping Center	TC (Town Center)	TC (Town Center) Zone [SC-TC (Service Commercial – Town Center) Special Land Use Designation]
South	Painted Desert Golf Course	PR-OS (Parks/Recreation/Open Space)	R-PD5 (Residential Planned Development – 5 Units per Acre)
East	Shopping Center	TC (Town Center)	TC (Town Center) Zone [SC-TC (Service Commercial – Town Center) Special Land Use Designation]
West	Single-Family Residences	ML (Medium Low Density Residential)	R-PD6 (Residential Planned Development – 6 Units per Acre)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
T-C Town Center District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
T-C Town Center District	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Commercial Shopping Center	211,606 SF	1/250 SF	847	17	990	24	Y*
TOTAL	211,606 SF		864		1,014		

*The subject site is considered a Shopping Center with parking calculated at 1:250 for all uses as approved by Site Development Plan Review (SDR-2208).

ANALYSIS

This request is for a Special Use Permit for a proposed 2,086 square-foot Secondhand Dealer use within an existing shopping center at 5765 Centennial Center Boulevard, Suite #160. The applicant is proposing to buy, sell and trade personal computers, laptop computer and other computer devices. In addition, the applicant intends to repair and refurbish said merchandise. The subject site is located within an existing shopping center capable of accommodating a variety of uses. The addition of a Secondhand Dealer within this center is compatible with the existing and future land uses. As indicated in the Parking Requirement table provided above all on-site parking requirements have been met for the proposed use. Therefore, staff recommends approval.

- **Zoning**

The subject site is located in the Centennial Hills Sector Map of the General Plan. The site is designated as T-C (Town Center). This category is intended to be the principle employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities, high-density residential uses; planned business, office and industrial parks and recreational uses.

This project is within the Town Center Special Area Plan. The subject site is designated as SC-TC (Service Commercial - Town Center). The SC-TC (Service Commercial – Town Center) district allows low to medium intensity retail, office or other commercial uses that are intended to primarily serve the Centennial Hills area and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys, and other places of public assembly and public/quasi-public uses. This district also includes office centers offering professional and business services. Local supporting land uses such as parks, other public recreational facilities, some schools and churches are also allowed in this district. The SC-TC (Service Commercial – Town Center) district is consistent with the T-C (Town Center) category of the General Plan. The use will not change the physical appearance or characteristics of the subject site and is compatible with the surrounding uses in the area. The proposed Secondhand Dealer use is permissible with the approval of this request and would then be consistent with the established T-C (Town Center) General Plan designation and SC-TC (Service Commercial – Town Center) special land use zoning district.

- **Use**

Secondhand Dealer is defined by Title 19 as a specialty shop which deals solely in one kind of used commodity with no new commodities, or a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. For purposes of this description, the sale of secondhand or used articles is deemed to be incidental to the sale of new articles. Used articles may include wearing apparel, furniture, fixtures, appliances, tableware, offices supplies, pictures, paintings, jewelry, cutlery or guns. This use includes the sale of jewelry (Class III type) and scrap precious metals as defined in LVMC Chapter 6.74, but does

not include the sale of junk as defined in that Chapter, the sale of used cars or the sale of other items which the City Council determines do not fit within the intent of this term. This use does not include the buying and selling of foreign or domestic coins for numismatic purposes, which shall be allowed where retail sales of new merchandise is permitted. This use also does not include a thriftshop or nonprofit thriftshop. The applicant has indicated that they will be buying, selling and trading personal computers, laptops, or other similar devices.

The floor plan indicates that there will be 2,086 square-feet of space within the proposed site. Space has been allocated for one showroom with displays for merchandise and a cashier's counter in the front of the suite, and an area located in the back of the suite for storage and receiving goods and one restroom facility.

- **Minimum Special Use Requirements**

Minimum Special Use Permit Requirements for a Secondhand Dealer use in a SC-TC (Service Commercial - Town Center) zoning district are:

- a. Except as otherwise provided in Paragraph (c), the use may be operated for consignment sales only and such consignment sales shall be limited to the following merchandise: jewelry (Class III), furniture, fixtures, tableware, pictures and paintings.
- b. Payment to the consignor for consigned merchandise may not be made until after the merchandise has been sold.
- c. The following (and only the following) secondhand merchandise may be sold on a non-consignment basis to, or purchased from or exchanged with, customers of the operation:
 - i. Personal computers;
 - ii. Laptop computers; and
 - iii. Other similar computer devices.
- d. No outdoor displays, sales or storage of any merchandise shall be permitted.
- e. The hours of operation shall be limited to the hours between 8:00 a.m. and 10:00 p.m., unless otherwise specified by the City Council.
- f. The use shall comply with the applicable requirements of LVMC Title 6.

Pursuant to Town Center Development Standards Manual Section B.4.B, these are the Minimum Special Use Permit Requirements, and are not Waivable conditions. The proposed Secondhand Dealer use meets the Minimum Special Use Permit Requirements per Town Center Development Standards Manual Section B.4.B. Therefore, staff is recommending approval of this Special Use Permit.

FINDINGS

The following findings must be made for a Special Use Permit:

- 1. “The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed land use is compatible with the SC-TC (Service Commercial - Town Center) Special Land Use designation and can be conducted in a manner that is harmonious and compatible with existing and future surrounding land uses.

- 2. “The subject site is physically suitable for the type and intensity of land use proposed.”**

The proposed Secondhand Dealer use will be in located within an existing shopping center that is physically suitable for the type and intensity of the land use proposed.

- 3. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

Site ingress and egress will be primarily from Centennial Center Boulevard, a 90-foot Frontage Road according to the Town-Center Development Standards Manual. This roadway is more than adequate to carry any added traffic generated from this use.

- 4. “Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The proposed use is consistent with the General Plan and will be subject to state and City of Las Vegas business and licensing requirements and will be monitored to ensure public safety and welfare is protected

- 5. The use meets all of the applicable conditions per Town Center Development Standards and Title 19.06.**

This proposal meets the minimum requirements of the Town Center Development Standards Manual and the minimum Special Use Permit requirements of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 494 by City Clerk

APPROVALS 1

PROTESTS 1